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SUBJECT: Niger 2009 Trafficking in Persons (TIP) Report

REF: 08 STATE 132759

¶1. (U) Per reftel instructions, Post submits the following information on Niger for the 2009 Trafficking in Persons (TIP) Report. Post's responses correspond to checklist paragraphs as below:

¶2. (SBU) NIGER'S TIP SITUATION:

¶A. Primary sources of information on trafficking in persons include: the Nigerien Border Police; the Ministries of the Interior, Women's Promotion and Child Protection, Justice, National Defense, and Civil Service and Labor; the Judicial Police; international and local NGOs; and press reports. In July 2008, the National Commission for Human Rights and Fundamental Liberties (CNDHLF) published a study on "the Problem of Forced Labor, Child Labor, and all Forms of Slavery Practices in Niger." During its presentation to the President of Niger on July 11, 2008, the CNDHLF called the report "a national reference document." However, due to resource limitations and intra-governmental communications problems, the numbers supplied by these sources are not consistently reliable, although they do provide a notional measure of the problem's scope.

¶B. Niger is a country of origin and transit for internationally trafficked persons. On a smaller scale, Niger may also be a destination country for persons lured to Niger from other West African countries.

West African migrants, who transit Niger on their way to neighboring countries, North Africa, or Europe, may fall victim to traffickers.

There are reports of Nigerien women being trafficked to Nigeria, North Africa, Europe, and the Middle East.

Internal trafficking occurred, and there was anecdotal evidence that some local religious teachers and loosely organized clandestine networks induced young boys to work as beggars and manual laborers and young girls to work mainly as domestic servants and occasionally as prostitutes, sometimes with the complicity of their families. Children were also internally trafficked for work in mines. There were also reports that some child prostitution exists along the main East-West highway, particularly between the towns of Birni N'Konni and Zinder along the Niger-Nigeria border.

Officially, the GON controls the entire territory of Niger; however, due to resource limitations and geography, Niger's borders are porous and large tracks of the vast desert territory are not adequately patrolled. One estimate indicates that there may be as many as 150 un-policed border crossings.

Reliable numbers on the extent of the TIP problem in Niger are scarce. The results of a trafficking in persons study were validated in November 2005. The study, funded by G/TIP, conducted by ANDDH (a local human rights NGO), and overseen by UNICEF, provides greater insight into the magnitude of the problem. For

example, of the 1,540 households interviewed nationwide in the study, 5.8 percent said at least one member of their household has been a victim of trafficking. Without reliable statistics over time, it is not known if there have been changes in the direction or extent of trafficking.

1C. Persons trafficked through Niger come primarily from Benin, Burkina Faso, Gabon, Ghana, Mali, Nigeria, and Togo.

During the reporting period, 81 children (including eleven girls from Benin) were rescued, rehabilitated, and returned to their families. AFETEN assisted with 37 trafficked Nigerien children; EPAD assisted with eleven girls from Benin rescued in Gaya, seven Malian and four Nigerien boys in Torodi, and 22 Malian boys in Tillabery. Eleven potential traffickers were arrested, of whom five were placed in custody.

In March 2008, the GON, with support from UNICEF, completed the establishment of regional committees to control child trafficking in various regions of the country, including Agadez, Niamey, Zinder, and Tillabery. The overall objective for these committees was to undertake all necessary actions that help prevent child trafficking, dismantle trafficking rings, and sensitize the population on women's and children's trafficking issues. More specifically, these committees were charged with: a) developing regional action plans; b) coordinating district committees and other organizations involved in the fight against child labor; c) initiating and facilitating all actions to prevent and combat child trafficking; and d) conducting advocacy with people and institutions that may impact the fight against child trafficking.

To support the regional committees, 30 watchdog teams were created

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in various localities, including seven in Agadez region (Arlit, Bilma, Dirkou, Ingall, Thirozerine, Aderbissanat, and Agadez city); seven in Zinder region; five in Maradi region; and eleven by the Association of Niger's Young Workers (AEJTN) in Niamey, Dosso, Gaya, Makalondi, Malbaza, Konni, Maradi, Zinder, Komabangou, Tahoua, and Tillabery. The watchdog teams' role was to report to the police any suspect cases of illegal travel of minors accompanied by adults.

Internally trafficked teenage girls often end up as domestic servants and occasionally as prostitutes while young boys often end up begging for religious teachers (marabouts), doing manual labor, or as domestic servants.

Apart from internal trafficking, final destination countries for Nigeriens and West Africans transiting Niger include Algeria, Libya, and European countries where men work as unskilled laborers and women are reported to work as domestic laborers and prostitutes. There are reports of Nigeriens being trafficked to Nigeria, Saudi Arabia, and the United Arab Emirates, where victims are reported to work mostly as domestic servants. Some rural parents sent their sons to learn the Koran in Mali and Nigeria, where the boys worked for their teachers (marabouts) as beggars or provided manual labor.

1D. Vulnerability to TIP: Children and women are the most at-risk group. The primary Nigerien targets of traffickers are young boys and girls, especially from the regions of Diffa, Zinder, Maradi, and Agadez.

1E. Traffickers and Their Methods: Traffickers are mostly small-time freelance operators and loosely organized networks of individuals. According to the ANDDH study, 58 percent of the traffickers in Niger are marabouts. There are also reports of freelance business people (both men and women) and informal travel agencies that traffic women to the Middle East.

Young boys from Maradi and Zinder regions are trafficked to Nigeria to work for marabouts as beggars and manual laborers. Overwhelmingly, the traffickers are the marabouts themselves who are approached by the families, not the other way around. Traditional culture in Niger respects marabouts and sending young boys to marabouts to learn the Koran has been an accepted tradition for centuries. Marabouts exploiting children for personal gain is a

relatively new phenomenon. Internal trafficking of young boys by marabouts is also common in Tahoua region. There are reports that adolescent girls from Diffa, Zinder, and Maradi that enter into "false marriages" with residents from Nigeria, Saudi Arabia, and the United Arab Emirates. After arriving in the destination country, the girls often end up being domestic servants. Traffickers in these cases can be individual business people (both men and women) and travel agencies that often organize pilgrimages to Mecca for the Hajj. False documents are often produced in order to obtain legitimate travel documents.

Female victims that are trafficked into Niger work mostly as domestic servants and, occasionally, as prostitutes. Young boys from neighboring countries may be trafficked into Niger to work in mines, on farms, as mechanics, or as welders. Often, their parents pay someone to teach them a vocation but the teacher ends up taking advantage of the young apprentice. Though there are no back-up statistics, the ANDDH study contains anecdotal evidence that indicates many trafficked foreigners, most of them men, transiting Niger are subject to violence, debt bondage, and the confiscation of their travel documents.

There are also reports that teen-age girls from Agadez are trafficked to Algeria, Libya, and European countries. Victims are lured by promises of employment in North Africa and the opportunity to travel to Europe for a better life.

Traffickers are embedded in the trans-Saharan transport system that traffics other illicit goods, in addition to people, across the Sahara for a considerable fee. There are occasional reports of deaths of presumed trafficking victims due to vehicle breakdowns in remote parts of the Sahara.

### 13. (SBU) GOVERNMENT of NIGER'S ANTI-TIP EFFORTS:

1A. The government acknowledges that trafficking is a problem.

1B. Government agencies involved in anti-trafficking efforts include the Ministries of Interior, Justice, National Defense, Women's Promotion and Child Protection, Communications, Foreign Affairs and Cooperation, Economy and Finance, Civil Service and Labor, Environment, National Education, and Youth and Sports. The Ministry of Justice is the lead agency on TIP.

1C. Niger ranks among the bottom five least developed countries in

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the world. New factors like the restrictive measures due to the security situation in the north delayed the GON's efforts to address other priorities. The GON's resources are insufficient to adequately fund police and other law enforcement and judicial institutions. Policing the vast desert regions of northern Niger is particularly difficult. Overall corruption is a problem. Faced with severe development challenges, the GON has very few resources with which to combat trafficking, or to aid victims.

1D. The GON attempts to systematically monitor its anti-trafficking efforts, but has had very little information to make publicly available. Despite the lack of resources, the GON shows the will to actively investigate cases of trafficking, and Nigerien police utilize all tools available to them. Its work with NGOs on trafficking and slavery cases yielded arrests, prosecutions, and convictions during this reporting period.

### 15. (SBU) INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

1A. Existing Laws against TIP: There is no Nigerien law specifically prohibiting trafficking in persons, although the GON sought technical assistance and drafted such a law in 2007. The law draft was developed by a joint working group composed of UNODC and MOJ officials, and was approved by the Prime Minister's Office and is awaiting adoption by the Council of Ministers at the end of the reporting period. However, the Constitution and the Labor Code prohibit slavery and slavery related practices. The reformed Penal Code defines and criminalizes slavery and slavery-related practices.

- Article 12 of the Constitution states that "No one shall be subjected to torture, slavery, abuse, or cruel, inhuman or degrading treatment."

- Article 4 of the Labor Code prohibits forced or compulsory labor. The term "forced or compulsory labor" means "any labor or service required of a person under the threat of punishment and for which the individual has not given full consent."

- Article 270.1 of the Penal Code states that "slavery is a state or condition of an individual upon whom are exerted the attributes of property rights or some of them...any institution or practice by virtue of which a minor under 18 years old is entrusted, either by his/her parents or by his/her guardian, master or master of one or both parents, to a third party, against payment or not, for purposes of exploiting the person or the work of said minor." This provision covers forced child labor and trafficking.

- Article 255 of the Penal code states, "Anyone who, by fraud or violence, abducts or orders to abduct minors under 18 years old or leads, diverts, or moves them from the place where they were under custody, shall be punished by two to ten years of imprisonment. Any attempt of the foregoing offense shall also be subject to the same sentence." Article 256 of the Penal code states, "If the accused has obtained or intended to obtain payment of ransom from people under whose authority or custody a minor has been placed, the sentence shall be life imprisonment."

- Article 181 of the Penal Code provides that "parents of minors under 18 years of age who usually engage in begging, and any person who encourages children to beg or who willingly profits from their begging, will be punished by six months to one year's imprisonment."

- The Penal Code also criminalizes the procurement of a minor for the purpose of prostitution.

In addition, Niger ratified the following international instruments which by law become part of Niger's legal corpus:

- ILO Conventions 29 and 105 were ratified by Niger on February 27, 1961, and March 23, 1962, respectively.

- The GON has signed and ratified ILO Convention 182. It was ratified on October 23, 2000.

- The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography was signed on March 27, 2002. It was ratified on November 17, 2003.

- The Additional Protocol to Prevent, Suppress and Punish Trafficking in persons, Especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime, was signed on August 21, 2001. Niger ratified this protocol on June 2, 2004.

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-- The UN Convention Against Transnational Organized Crime was ratified on July 29, 2004.

-- The Additional Protocol Against Illegal Trafficking of Migrants by Land, Air, and Sea, supplementing the UN Convention Against Transnational Organized Crime was ratified on September 16, 2008.

- The GON has enacted the July 2005 Multilateral Agreement to Combat Child Trafficking in West Africa.

1B. Punishment of Sex Trafficking Offenses: Article 270.2 of the Penal Code states that "keeping a person in slavery or inciting a person to give up his/her freedom or dignity or that of a dependent, in order to be kept in slavery, shall be punished by 10 to 30 years imprisonment and a fine of 1,000,000 to 5,000,000 CFA (approx. \$2,000-10,000)." This provision covers sexual and labor

exploitation.

¶C. The provisions of the Penal Code as described above are currently applicable to labor trafficking offenses. The adoption of an anti-trafficking law will define the trafficking crime and applicable penalties in a more specific manner.

¶D. The current penalty for rape or forcible sexual assault on minors under the age of 13 is 15-30 years imprisonment. The penalty for rape or forcible sexual assault on victims older than 13 is 10-20 years imprisonment. The provision of the Penal Code described in para B applies to trafficking for commercial sexual exploitation.

¶E. During the reporting period, there have been prosecutions of traffickers in Niger. During the year, law enforcement authorities arrested 11 traffickers in connection with the trafficking of 81 children. Of these, six were released without charge, while five were arrested and charged with the abduction of minors. At the end of the reporting period, there were no developments in the 2006 case of two traffickers held in custody in Agadez.

In 2006, the Ministry of Justice requested all jurisdictions to provide input for a comprehensive report on the investigation and prosecution of cases under the revised penal code's anti-slavery provisions, and under other TIP-related statutes. The report revealed that eight cases relating to traditional caste-based servitude have been lodged since the enactment of the revised penal code in 2004. Each case was investigated by GON authorities. In one of the three pending cases, the plaintiff withdrew her complaint, but Timidria decided to pursue legal action against the defendants. In the 2006 enslavement case of Timidria and Haoulata Ibrahim vs. Seidimou Hiyar, during the year, the Court of Appeals of Niamey sentenced the defendant to two years' imprisonment (six months behind bars and 18 months suspended sentence) and a fine of 100,000 CFA (\$200) for damages. Although the defendant served his prison term, he had not paid the damages at the end of the reporting period.

On December 22, 2008, the Court of Appeals of Niamey held hearings on the 2006 slavery case Timidria and Assibit Wanagoda vs. Tafane Abouzeidi and Timidria. In the verdict it delivered on February 9, 2009, the court found no grounds for prosecution and dismissed the case. The plaintiffs said they would file an appeal before the Supreme Court. At the end of the reporting period, the 2006 slavery case Midi Ajinalher vs. Hamad Alamine and three brothers is still pending before the Niamey Court of Appeals.

On October 27, in a landmark ruling regarding the case Timidria and Hadidjatou Mani Koraou vs. the Government of Niger, the Economic Community of West African States (ECOWAS) Court of Justice recognized that Mani Koraou had been a victim of slavery and held the Government of Niger responsible for the inaction of its administrative and legal services, which failed to protect a woman sold into slavery. The Court fined the Government of Niger 10 million CFA (\$20,000) in damages for the victim. The Government of Niger stated that it would abide by the ruling, and authorized payment of the 10 million CFA.

According to the ANDDH study, law enforcement authorities continually cite the lack of clear legislation banning trafficking in persons. Nonetheless, immigration authorities have interrogated smugglers about their potential involvement with transporting human beings.

¶F. During this reporting period, the GON continued to seek opportunities to train its law enforcement officers on TIP, TIP victim, and perpetrator identification, and relevant legislation and treaty commitments. On June 19-20, the ILO organized a training session for the National Commission Against Forced Labor and Discrimination. The workshop was aimed at strengthening the capacities of this body, and included a presentation on the social

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insertion of slavery practices' victims. On June 25-26, the ILO held a similar session on behalf of judges, lawyers, and bailiffs.



On November 25-27, the Government of Niger, with support from French Cooperation, hosted a regional seminar on terrorism and trafficking, including trafficking in persons. One of the workshops focused on training law enforcement trainers on prosecution, special investigation techniques, witness protection, and international cooperation in the fight against trafficking.

During the year, in Ayorou, Tillabery Region, the Ministry of Civil Service and Labor and the ILO's International Programme on the Elimination of Child Labor (IPEC) organized a workshop to sensitize and train judges, traditional chiefs, members of the CNDHLF, and members of the Youth Parliament on the issue of child labor and trafficking. On July 1-4, 2008, the Minister of Women's Promotion and Children's Protection chaired a regional training workshop for journalists from nine countries on child labor and trafficking.

¶G. For investigative and prosecution cases, Niger cooperates with Interpol. Niger also conducts joint cross-border patrols with Nigeria, Chad, Mali, and Burkina Faso with the objective of reducing criminal activity along its porous borders. During the year, the GON cooperated with the governments of Mali and Benin in investigating and prosecuting several child trafficking cases. In December 2006, Niger and Nigeria prepared a bilateral agreement on child trafficking and child exploitation, which is awaiting signature.

¶H. Extradition occurs, but Post is aware of no instances in which a foreign country has sought extradition of a Nigerien national on charges related to trafficking in persons. Likewise, Niger has not, to Post's knowledge, requested extradition of a foreign citizen on TIP-related charges.

¶I. There is no evidence of government involvement in or tolerance of trafficking in Niger.

¶J. No GON officials have been accused of or charged with trafficking.

¶K. Prostitution is not criminalized specifically, and there was no precise age of consent; however, the law prohibits "indecent" acts toward minors. It was left to a judge to determine what constituted an indecent act. Such activity and a corollary statute against "the incitement of minors to wrongdoing" were punishable by three to five years in prison. The Penal Code specifically punishes operating/owning a brothel, pimping, the soliciting a prostitute, or a prostitute's soliciting of a client, and related activities by six months to three years imprisonment and a fine of CFA 50,000 to 5,000,000 (\$100 to \$10,000).

¶L. There were no known cases of Nigerien nationals deployed abroad for peacekeeping missions who have engaged in severe forms of trafficking or in exploiting victims of such trafficking.

¶M. Niger does not have an identified child sex tourism problem.

#### ¶6. (SBU) PROTECTION AND ASSISTANCE TO VICTIMS:

¶A. Local police and prosecutors ensured that rescued trafficking victims (nationals and foreign) were handed over to a local NGO for rehabilitation. The Government of Niger also worked with foreign countries' embassies and consulates to ensure that consular access was provided to their citizens who are TIP victims in Niger.

¶B. The Ministry of Women's Promotion and Child Protection provides limited social services to victims. In February, the village chief of Nobi, Tahoua region, handed over to Timidria 20 persons rescued from caste-based servitude. Timidria intends to carry out a project in order to support the socio-economic reinsertion of these persons. The project will provide beneficiaries with small cash and in-kind support to conduct revenue-generating activities including handicrafts and livestock-raising. During the year, RDM Tanafili, a local NGO, with support from local authorities, rescued and assisted six families of former slaves (40 persons) in purchasing land from their former masters in Tajae, Tahoua Region. The NGO was expected to sponsor the families for one year by providing them with food, livestock to start a new life, and education for the children.

¶C. The Government of Niger provided some services for trafficking

victims, including basic health care and assistance in returning to their home villages. The regional government of Agadez has a "welcome committee," which consisted of police and local administrative officials to assist illegal immigrants expelled from North Africa to return to their countries or regions of origin. While no reliable statistics on these persons were available, many

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may well have been victims of human trafficking. The Government of Niger also supported the efforts of NGOs and international organizations in providing food, temporary shelter, and primary health care to victims of trafficking.

During the year, the Government of Niger undertook several initiatives to assist trafficking victims. Local authorities assisted UNICEF and a local NGO partner to identify and rehabilitate child victims of TIP in Agadez region. Local police and prosecutors arrested and prosecuted traffickers identified by the project, and ensured that rescued victims were handed over to a local NGO for rehabilitation. A total 37 children were placed in rehabilitation centers.

In 2007 the GON and EPAD (a local NGO) hosted the opening of a U.S.-funded welcome and transit center for child victims of trafficking in Makalondi. During this reporting period, the center, in cooperation with Nigerien police and international organizations, has rescued, rehabilitated, and returned to their families 44 children victims of trafficking from Mali and Niger.

1D. Due to serious resource constraints, the Government of Niger does not provide funding or other forms of support to foreign or domestic NGOs for services to victims.

1E. The GON has a witness protection program but no shelters to protect victims and witnesses. Police commonly refer TIP victims, including children, to local or international NGOs for attention after they have been identified or have sought police assistance. In past instances, the GON has repatriated foreign TIP victims in cooperation with the consular offices of the source country's diplomatic mission.

1F. The GON has no screening or referral process in place to transfer victims. However, local and international NGOs, such as the Nigerien Red Cross and Red Crescent, AFETEN, EPAD, and CARITAS, provide temporary support to victims as needed, and GON police, as a matter of practice, tended to refer victims they encountered to these organizations.

1G. During the year, local authorities assisted UNICEF and a local NGO partner in identifying and rehabilitating child victims of trafficking in Agadez. Police and prosecutors arrested and prosecuted traffickers identified by the project, and ensured that rescued victims were handed over to a local NGO for rehabilitation. In October, officials rescued 37 child trafficking victims; they were rehabilitated in the city of Agadez, including the receipt of counseling and support to return home and start a business for older children, and return to their parents' custody for younger ones.

On October 23, police in Gaya arrested a man when he could not prove his relationship to several children with whom he was travelling. The police handed over the children to the district of Gaya's Office of Women's Promotion and Children's Protection. During the same period, the office also handed over to the Benin border police 11 young girls presumed to be victims of trafficking.

On December 19, a local NGO, acting with support from law enforcement authorities, apprehended a Malian marabout suspected of trafficking 11 children (seven Malians and four Nigeriens). On January 15, law enforcement authorities assisted this NGO in apprehending 2 Malian marabouts suspected of trafficking 22 Malian children. At year's end, the suspected traffickers were in detention, and the children were returned to their families.

On February 16, 2009, Niamey police referred to EPAD a young woman suspected victim of trafficking. The woman was 14 years old and attending middle school in Maradi in 1998 when a Togolese teacher

lured her to travel with him to Togo, where he managed to obtain false identity documents for her, married her, and had two children with her. Following her parents' complaint, Nigerien and Togolese law enforcement authorities found her after joint investigations. According to the woman's parents, Togolese law enforcement authorities kept custody of the children but did not indict the suspected trafficker. The woman and her parents had sought EPAD's assistance in taking legal action with the ECOWAS Court of Justice in order to claim custody of her two children, who are four and two years old.

¶H. Through cooperation with NGOs and IOs, the GON ensured that police and border security officials have received specialized training in TIP victim identification and assistance, with a special focus on children. Officials have also been trained to ask for the regional ECOWAS-sanctioned authorization certificate when children cross borders without their parents.

¶I. There is no evidence to suggest that TIP victims have ever been

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treated as criminals, rather than as victims who merit assistance or repatriation. In all prior cases in which TIP victims were identified and handled by the GON, their rights were respected, to Post's knowledge.

¶J. Under the anti-slavery provisions of the new Penal Code, the GON encourages victims and witnesses to report incidents of slavery and related practices. Victims of forced labor practices, or traditional forms of caste-based servitude, may file both criminal and civil suits against perpetrators. Alternatively, NGOs may file such suits on their behalf. In practice, NGOs such as Timidria assist victims in filing lawsuits and seeking legal action against former "masters." There were no known attempts to impede victim access to such legal redress. In practice, victims' ignorance, lack of resources to retain an attorney, and fear of reprisal may impede their full participation in a case. There was no formal victim restitution program, though plaintiffs in slavery cases could be awarded financial damages as a consequence of their suits.

¶K. Through cooperation with NGOs and IOs, the GON ensured that police and border security officials have received specialized training in TIP victim identification and assistance, with a special focus on children. Officials have also been trained to ask for the regional ECOWAS-sanctioned authorization certificate when children cross borders without their parents. The GON provides no training on TIP to its embassies and consulates abroad, nor is there any evidence that they maintain the necessary arrangements with NGOs abroad to assist their nationals in such cases.

¶L. The Ministry of the Interior (MOI) has a program to welcome and shelter (for short periods of approximately one week) Nigeriens who have been repatriated from North Africa, Cote D'Ivoire, and Saudi Arabia. While no medical attention is given, MOI officials interview the returned persons to determine the circumstances of their situations. The GON then helps the deportees to return to their homes in Niger.

¶M. Timidria, EPAD, RDM, and CARITAS all work with victims of TIP. Timidria former has long worked with victims of traditional caste-based servitude by providing food, shelter, health care, and legal and job counseling, and has begun recently to sensitize Nigeriens on TIP issues more broadly. The other organizations are involved in victim identification, assistance, and rehabilitation. Timidria's efforts to bring slaveholders to justice have been supported by GON prosecutors and judges, while the latter NGOs all cooperate with relevant government ministries and local authorities, who support their efforts by various means, including victim identification and referrals.

#### ¶7. (SBU) PREVENTION:

¶A. During the reporting period, the Government of Niger conducted several anti-trafficking information and education campaigns. The GON continued its awareness campaigns condemning child abuse; these included anti-trafficking elements. Senior GON officials made



remarks at the openings of training sessions on TIP, and Government media covered the events, making them a tool for enhanced public awareness of TIP.

Since May 2008, a USG-funded television skit with a local NGO had been on air before and/or after major news broadcasts on private and state television in French and local languages. The projection of the skit provided broad coverage around the country on child trafficking.

On March 22, 2008, the French Cultural Center hosted the official unveiling of two books on slavery in Africa, one on Niger specifically, at which the Minister of Justice was a keynote speaker. The event received wide media coverage.

In 2008 in Ayorou, Tillabery Region, the Ministry of Civil Service and Labor and the ILO's International Programme on the Elimination of Child Labor (IPEC) organized a workshop to sensitize and train judges, traditional chiefs, members of the CNDHLF, and members of the Youth Parliament on the issue of child labor and trafficking. On July 1-4, 2008, the Minister of Women's Promotion and Children's Protection chaired a regional training workshop for journalists from nine countries on child labor and trafficking. On December 29, 2008, the second ordinary session of Niger's Youth Parliament focused on calling the GON's and public attention on children's rights with regard to situations such as child labor, begging, and prostitution.

On July 11, 2008, the National Commission on Human Rights and Fundamental Liberties (CNDHLF) released its study on forced labor, child labor, and slavery, which stemmed from an analysis initiated in 2007.

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- According to the CNDHLF survey, 35 percent of the 26 local government officials (governors and prefets); 34 percent of the 125 members of parliament, mayors, and local council members; 75 percent of the 24 judges; 37 percent of the 99 traditional chiefs; 59 percent of the 26 law enforcement agents (police and gendarmerie officers); 70 percent of the 37 civil society representatives, 41 percent of the 325 trade workers, 40 percent of the 80 religious leaders, 38 percent of the 236 other citizens, 54 percent of the 10 media people, and 40 percent of the 52 people considered as victims interviewed recognize the existence of slavery practices. Concerning forced labor, 15 percent of the 26 local government officials (governors and prefets); 54 percent of the 123 members of parliament, mayors, and local council members; 67 percent of the 24 judges; 28 percent of the 102 traditional chiefs; 57 percent of the 28 law enforcement agents (police and gendarmerie officers); 75 percent of the 27 civil society representatives, 39 percent of the 351 trade workers, 45 percent of the 87 religious leaders, 47 percent of the 232 other citizens, 75 percent of the 8 media people, and 80 percent of the 5 labor inspectors interviewed recognize the existence of this practice.

1B. Yes, though on a somewhat ad hoc basis, and evidence of GON successes in this regard are anecdotal. Working level contacts within the GON's Border Police have reported denying entry repeatedly to suspected traffickers and trafficking victims. This is particularly true of children who attempt to enter Niger without proper ECOWAS travel documentation or who seem to be in a suspicious relationship with their adult traveling companions. However, the GON has not always kept reliable statistics on this, nor have working-level officers always reported turnarounds to welcome and transition centers, or clearly identified such cases as incidences of TIP. Moreover, the level of investigation into any given case is likely to be minimal. Therefore, while these actions have probably deterred some TIP, they have done little to further understanding of the nature of the phenomenon on the part of either the GON or Post.

The GON is participating in a joint effort with the International Organization for Migration (IOM) to raise awareness on the dangers of irregular migration and trafficking in order to better prevent it. The GON and the IOM launched an information campaign in August

2008 aimed at raising awareness on the dangers of irregular migration and trafficking in order to better prevent it. The project will assist with capacity building and provide migration officers in Niger and Libya with adequate equipment and logistics. It will provide technical assistance in strengthening travel documents. The project will also work for the voluntary return and reintegration of migrants in distress.

¶C. Reports from both the GON and from NGOs indicate that there is a cooperative spirit among key GON, NGO, and other relevant actors focusing on TIP issues. With the creation of the National Commission Against Forced Labor and Discrimination, that partnership appears to have become stronger and more formal. The Commission includes representatives of human rights NGOs such as Timidria and senior GON personnel. The GON's formal acknowledgement that traditional slavery exists, and is a problem to be confronted, likewise demonstrates a move toward the NGO position on these issues. Post contacts in the NGO community and civil society report that the GON is open to their perspectives on TIP, has included them in all discussions of TIP and related policy, and takes action on TIP issues when resources allow.

¶D. To date, there is only a draft National Plan to Combat TIP. In 2007, the Ministry of Justice transmitted a draft TIP law to the Prime Minister's Office for review before its submission to the Council of Ministers and to the National Assembly. At year's end the draft was with the Secretary General of the Government's office in the Presidency.

The GON has created a inter-ministerial Commission for the Coordination of the Fight Against Trafficking in Persons to serve as the nodal agency for work on TIP. In 2006, the GON created a National Commission Against Forced Labor and Discrimination, which includes representatives of the Ministry of Civil Service and Labor, the ILO, civil society, labor unions, and traditional chiefs. The GON has also set up a national anti-corruption committee and there are laws in the Penal Code and articles in the Constitution that specifically prohibit corrupt activities.

The GON, through the Ministry of Civil Service and Labor and the Ministry of National Education, is collaborating with the U.S. Department of Labor on a program to combat exploitive child labor through the integration of child laborers into the public education system. In January 2006, Libya and Niger signed a bilateral cooperation agreement to address illegal migration and organized

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crime. In December 2006, Nigeria and Niger prepared a bilateral memorandum of agreement on cooperation to prevent, suppress, and punish trafficking in persons, especially women and children. The agreement had not been signed at the end of the reporting period.

¶E. The Government of Niger enforces, when applicable, the provisions of the Penal Code that specifically punish operating/owning a brothel, pimping, the soliciting a prostitute, or a prostitute's soliciting of a client, and related activities. The provision of the Penal Code described in para B above also applies to trafficking for commercial sexual exploitation. The Penal Code also criminalizes the procurement of a minor for the purpose of prostitution.

In 2006, the Government of Niger adopted a national action plan to combat the sexual exploitation of children. In line with the implementation of the action plan, the Ministry of Women's Promotion and Child Protection, UNICEF, and the Group of Nigerien NGOs Fighting Against the Sexual Exploitation of Children in Niger (GNCESE) worked with the Ministry to conduct sensitization and education activities on the sexual exploitation of children.

¶F. See above paragraph.

¶G. On February 2, the National Assembly passed a bill revising the by-laws governing armed forces and gendarmerie personnel. One of the provisions aimed at "filling the gap concerning the judicial protection of the military in order to allow them to efficiently carry out their mission in the context of the rule of law, the

demands of the civilian population, and the requirements of international missions under UN mandate." The bill provides for respect for human rights, including those ensuring that Nigeriens who are deployed abroad as part of peacekeeping and other similar operations do not engage in or facilitate severe forms of trafficking or exploit victims of such trafficking.

¶8. (SBU) Post's contact on TIP-related matters is Economic/Consular Officer Karan E. Swaner, telephone 011-227-72-26-61 x4149, fax 011-227-72-31-46, e-mail SwanerKE@state.gov.

¶9. (SBU) The number of hours spent per embassy officer and respective ranks in the preparation of this report are as follows:

- Political Specialist, Grade: FSN-10/11, 25 hours
- Ambassador, Grade: FE-MC, 3 hours
- Economic/Consular Officer, Grade: FS-04, 1 hour
- Deputy Chief of Mission, Grade: FS-01, 5 hours
- USAID Country Program Manager: USPSC, 1 hour
- Regional Security Officer, Grade: FS-03, 1 hour

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